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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 07-00597 JF
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED]
	)	ORDER CONTINUING INITIAL
v.	)	APPEARANCE AND EXCLUDING TIME
	)	FROM THE SPEEDY TRIAL ACT
JOHN MICHAEL NAGY,	)	CALCULATION (18 U.S.C.
	)	§ 3161(h)(8)(A))
Defendant.	)	

This matter is scheduled before this Court for an initial appearance on August 12, 2009. This initial appearance was originally scheduled for August 5, 2009, then continued by this Court to August 12th. The parties respectfully request that defendant's initial appearance be continued until September 2, 2009 to allow defense counsel an opportunity to review discovery materials recently produced by the government and to accommodate government counsel's scheduling conflict. The parties agree, and the Court finds and holds, as follows:

1. Defendant's status hearing is continued to September 2, 2009.
2. The time between August 10, 2009 and September 2, 2009 is excluded under the Speedy Trial Act. The parties agree that the failure to grant the requested continuance would

1 unreasonably deny defense counsel reasonable time necessary for effective preparation, taking  
2 into account the exercise of due diligence and would deny the government continuity of counsel.  
3 Finally, the parties agree that the ends of justice served by granting the requested continuance  
4 outweigh the best interest of the public and the defendant in a speedy trial and in the prompt  
5 disposition of criminal cases. 18 U.S.C. § 3161(h)(8)(A).

6 IT IS SO STIPULATED:

7 DATED: 8/10/09

/s/  
CYNTHIA LIE  
Attorney for Defendant Nagy

10 DATED: 8/11/09

/s/  
JOSEPH A. FAZIOLI  
Assistant United States Attorney

12 IT IS SO ORDERED.

13 DATED: 8/11/09

  
JEREMY FOGEL  
UNITED STATES DISTRICT JUDGE